

1
2
3
4
5
6
7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
9

10 SMS FINANCIAL, LLC,

11 Plaintiff,

12 v.

13 CBC FINANCIAL CORPORATION, *et*
14 *al.*,

15 Defendants.
16

Case No. 2:11-cv-00297-LDG (GWF)

AMENDED SUMMARY JUDGMENT

17 This matter came before the Court on the Motion for Summary Judgment of Federal
18 Deposit Insurance Corporation, as Receiver for Community Bank of Nevada, which Motion
19 the Court GRANTED. The Court subsequently granted Federal Deposit Insurance
20 Corporation's motion to substitute SMS Financial, LLC as plaintiff and to accordingly
21 amend the summary judgment. Therefore, for good cause shown,

22 THE COURT **ORDERS AND ADJUDGES** that Plaintiff SMS Financial, LLC, recover,
23 jointly and severally, from Defendants CBC Financial Corporation and Barton Maybie:

- 24 1) \$1,255,696.58 as the principal amount of the debt;
25 2) \$397,305.88 as interest accrued until February 15, 2012;
26

- 3) \$404.84 per diem as interest accruing from February 15, 2012, until the date this Amended Summary Judgment is entered;
- 4) \$71,712.04 as late fees;
- 5) \$750.00 as processing fees;
- 6) Reasonable attorney's fees and costs per the agreements.

DATED this 23 day of October, 2012.


Lloyd D. George
United States District Judge